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13
14 IN THE UNITED STATES DISTRICT COURT FOR THE
15 EASTERN DISTRICT OF PENNSYLVANIA

16 DEBRA MOYER,

17
18
19 Plaintiff,

20 vs.

21 YUM BRANDS INC. d/b/a Taco Bell,
a North Carolina corporation,

Defendant.

)
)
) CIVIL ACTION NO: 08CV2359JKG

)
) **STIPULATION, AND**
) **ORDER OF DISMISSAL**
)
)

STIPULATION

The parties, by and through their respective counsel, hereby stipulate as follows:

- (1) This matter involves a claim for personal injuries as a result of an alleged E. coli 0157:H7 infection experienced by the plaintiff, Debra Moyer. The parties understand that the plaintiff intends to allege claims against additional defendants. Alleging claims against these potential additional defendants might negate the plaintiff's basis for jurisdiction in this Court by reason of diversity of citizenship.
- (2) The parties have accordingly agreed that plaintiff may dismiss her claims in this matter, without prejudice, and without award of costs and fees to any party.
- (3) This stipulation may be executed in one or more counter-parts, each of which shall constitute one and the same instrument, and which shall be binding and enforceable as if all parties had executed the same documents; and
- (4) The proposed order of dismissal subjoined hereto may be presented to and entered by the court ex parte.

DATED this 21st of August, 2008

THE FERRARA LAW FIRM, L.L.C.

By: 

Michael A. Ferrara, Jr., Esquire
Attorneys for Plaintiff Moyer

DATED this 26th of August, 2008

1 BENNETT, BRICKLIN & SALTZBURG, LLP

2
3 By: 

4 Louis Bricklin, Esquire

5 Attorneys for Defendant Yum Brands, Inc. d/b/a Taco Bell

6
7 **ORDER**

8 This matter having come before the court as stipulated by and between the parties,
9 and the court having read the stipulation and being thereby fully advised:

10 Now, therefore, it is hereby

11 ORDERED, ADJUDGED, and DECREED that all claims asserted by all parties to
12 this action, are hereby dismissed, without prejudice, and without award of costs to any
13 party.

14 DATED this _____ of _____, 2008

15
16
17 By: _____

18 THE HONORABLE JAMES KNOLL GARDNER

1 Presented by:

2 THE FERRARA LAW FIRM, L.L.C.

3
4 By: 

5 Michael A. Ferrara, Jr., Esquire

6 Attorneys for Plaintiff Moyer

7
8 Copy received; approved as to form; and
9 Notice of Presentation waived:

10 BENNETT, BRICKLIN & SALTZBURG, LLP

11 By: 

12 Louis Bricklin, Esquire

13 Attorneys for Defendant Yum Brands, Inc. d/b/a Taco Bell